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**Certification under 37 CFR 1.8(a)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with The United States Postal Service with sufficient postage as first class mail in an envelope addressed to THE COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450 on March 10, 2005.

Brian W. Hameder (Reg. No. 45,613)

Name

Signature

DOCKET: CU-4060

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Christina Lutz et al

Serial No.: 10/522,322

Group Art Unit:

Filed: January 25, 2005

Examiner:

For: CONFECTIONERY MADE FROM HERBAL MIXTURES

THE COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT WITHIN THREE MONTHS OF FILING OR BEFORE MAILING OF FIRST OFFICE ACTION**

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of the first Office Action on the merits, whichever event occurs last. 37 CFR 1.97(b).

Date: March 10, 2005

Signature of Attorney

Brian W. Hameder

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Chicago Illinois 60604

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**INFORMATION DISCLOSURE STATEMENT**

Applicants submit herewith patents, publications or other information of which the applicants are aware, which may be material to the examination of this application and in respect of which there may be a duty to disclose under 37 CFR 1.56.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 CFR 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

The references submitted herein are listed on PTO-1449 form (modified) enclosed herewith. A copy of each reference listed is being furnished except any duplicate or cumulative patents or publications specified otherwise. Also, if the present application was filed after June 30, 2003, copies of US patents or published applications are not submitted in accordance with the USPTO Rule changes.

A translation of any foreign language reference, if any, is indicated in PTO-1449 form and being submitted herein if it is readily available. Otherwise it should be construed that such translation is not readily available.

Additional comments, if any, on the relevance of each reference listed are provided as follows:


**Also submitted herein is a copy of the International Search Report which satisfies the requirement for a translation or concise explanation of any non-English reference cited therein, as provided in MPEP §609 A(3).**

The Statement is made on the basis of the information:

<u>          </u>	supplied by the inventor(s);
<u>  X  </u>	supplied by an individual associated with the filing and prosecution
<u>          </u>	of this application (37 CFR 1.56(c)); or
	in the attorney's file.

Respectfully submitted,

Date: March 10, 2005

  
Signature of Attorney  
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Form PTO-1449 (Modified)

ATTY. DOCKET NO.

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SERIAL NO.

10/522.322

**APPLICANT**

Christina Lutz et al

FILING DATE

January 25, 2005

GROUP 1794

(37 CFR 1.98(b))

## U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

EXAMINER INITIAL	DOCUMENT NUMBER	PUBL. DATE	COUNTRY OR PATENT OFFICE	CLASS	SUB- CLASS	TRANSLATION YES	NO
	EP0593774	04/27/1994	EPO				
	GB1526020	09/27/1978	United Kingdom				
	EP0686351	12/13/1995	EPO				
	DE20115366	02/20/2002	Germany				
	DE30009059	09/14/2000	Germany				

No English translation or abstract

OTHER DOCUMENTS (Including Author, Title, Date, Place of publication)

(Form PTO-1449)

Signature

Date considered

08/14/2008

/Jyoti Chawla/